

PATENT

# NYDEGGER & ASSOCIATES

ATTORNEYS AT LAW

348 OLIVE STREET  
SAN DIEGO, CALIFORNIA 92103

NEIL K. NYDEGGER

email@nydegger.com

TELEPHONE  
(619) 688-1300  
FACSIMILE  
(619) 688-1322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba	) Art Unit ) 3739
Serial No.:	10/646,486	
Filed:	August 22, 2003	
For:	RESHAPEABLE TIP FOR A CRYOPROBE	
Examiner:	Unknown	
Attorney Docket:	11350.23	

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

The Information Disclosure Statement submitted herewith is being filed within three months of the filing of the above-captioned application, or date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits whichever occurs last. 37 CFR 1.97(b).

The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 14-1519. A duplicate of this request is enclosed.

Respectfully submitted this 17<sup>th</sup> day of February, 2004.

NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

Transmitted: Information Disclosure Statement; PTO Form 1449;  
and 9 references.



ATTORNEYS AT LAW

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INFORMATION DISCLOSURE STATEMENT

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The following sections are being submitted for this Information Disclosure Statement:

1.   X   Preliminary Statements
2.   X   FORM PTO - 1449 (Modified)
3.        Identification of Prior Application In Which Listed Information Was Already Cited and For Which No Copies are Submitted Or Need be Submitted.
4.   X   Copies of Listed Information Items Accompanying This Statement.
5.        Concise Explanation of Non-English Language Listed Information Items.
6.        Translation(s) of Non-English Language Documents.
7.        Certification Under 37 C.F.R. §1.97.(e).
8.        Fee as required under 37 C.F.R §1.17(p).
9.        Petition requesting consideration of Statement and Petition Fee as set forth in 37 C.F.R. §1.17(i)(1).
10.   X   Identification of Person(s) Making This Information Disclosure Statement.

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



FORM PTO-1449 (Modified)  
U.S. Dept of Commerce  
Patent and Trademark Office

Attorney Docket: 11350.23  
Serial No.: 10/646,486  
Applicant: Eric Ryba  
Filing Date: August 22, 2003  
Group No.: 3739

List Submitted in Accordance  
with 37 CFR § 1.98 (a)(1)

U.S. Patent Documents

<u>Examiner Initial*</u>		<u>Patent Number</u>	<u>Issue Date</u>	<u>Patentee</u>
—	AA	4,004,382	01/18/77	Dyke
—	AB	4,456,017	06/26/84	Miles
—	AC	4,586,923	05/06/86	Gould et al.
—	AD	4,815,478	03/28/89	Buchbinder et al.
—	AE	5,114,414	05/19/92	Buchbinder
—	AF	5,345,945	09/13/94	Hodgson et al.
—	AG	5,354,257	10/11/94	Roubin et al.

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Examiner: Date Considered:  
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\* EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.  
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FORM PTO-1449 (Modified)  
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Applicant: Eric Ryba  
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Foreign Patent Documents

<u>Document Number</u>	<u>Pub. Date</u>	<u>Country</u>	<u>Translation</u>
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— A

Other Documents

(including Author, Title, Pertinent Pages, date and place of publication)

— AH Meier, B., Carlier, M., Finci, L., Nukata, E., Urban, P.,  
Niederhauser, W., and Favre, J., "Magnum Wire for  
Balloon recanalization of Chronic Total Coronary Occlusions,"  
The American Journal of Cardiology, Vol. 64, Pgs. 148-154,  
July 15, 1989.

— AI Judkins, M., M.D., "Selective Coronary Arteriography."  
Radiology, Vol. 89, No. 5, Pages 815-824, November,  
1967.

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Examiner:

Date Considered:

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\* EXAMINER: Initial citation considered. Draw line through citation if not in  
conformance and not considered. Include copy of this form with next communication to  
applicant.

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#### **Section 4. Copies of Listed Information Items Accompanying This Information Disclosure Statement.**

Legible copies of all items listed below accompany this Information Disclosure Statement.

<u>Patent No.</u>	<u>Date</u>	<u>Name</u>	<u>Country</u>
4,004,382	01/18/77	Dyke	USA
4,456,017	06/26/84	Miles	USA
4,586,923	05/06/86	Gould et al.	USA
4,815,478	03/28/89	Buchbinder et al.	USA
5,114,414	05/19/92	Buchbinder	USA
5,345,945	09/13/94	Hodgson et al.	USA
5,354,257	10/11/94	Roubin et al.	USA

Meier, B., Carlier, M., Finci, L., Nukata, E., Urban, P., Niederhauser, W., and Favre, J., "Magnum Wire for Balloon recanalization of Chronic Total Coronary Occlusions," The American Journal of Cardiology, Vol. 64, Pgs. 148-154, July 15, 1989.

Judkins, M., M.D., "Selective Coronary Arteriography." Radiology, Vol. 89, No. 5, Pages 815-824, November, 1967.



**Section 10. Identification of Person(s) Making this Information Disclosure Statement.**

The person making this statement is

(a) \_\_\_\_\_ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR


\_\_\_\_\_  
Name of Inventor

(b) X the attorney who signs below on the basis of:

X the information supplied by the inventor(s)

\_\_\_\_\_ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

X the information in the attorney's file

  
NEIL K. NYDEGGER  
Attorney for Applicant  
Registration No. 30,202

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CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, with sufficient postage as first class mail pursuant to 37 CFR 1.8(a) on this 17<sup>th</sup> day of February, 2004.

  
MEGAN N. KELLY  
Legal Document Assistant